

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MARTHA IVERS ROMERO-MEJIA,

Petitioner,

v.

DAVID KIRK IVERS,

Respondent.

NO: 13-CV-0134 -TOR

PRELIMINARY INJUNCTION

and

ORDER TO SHOW CAUSE

BEFORE THE COURT is an order to show cause why Respondent should not be restrained from removing his two children, CTIR and DSIR, from this Court's jurisdiction pending full adjudication of the Verified Petition for Return of Children (ECF No. 9). A hearing on this matter was held on April 17, 2013. Petitioner was represented by attorney Gail A. Hammer and law student interns Jill Hogberg and Logan Bushell of University Legal Assistance. Respondent appeared *pro se*. This Order will memorialize the Court's oral rulings.

1 For the reasons stated in the Court's Temporary Restraining Order dated
2 April 8, 2013 (ECF No. 9), the Court finds that Respondent should be enjoined
3 from removing CTIR and DSIR from the Eastern District of Washington pending
4 resolution of this case. Respondent was afforded an opportunity to be heard on this
5 matter during the hearing and did not object to the issuance of a preliminary
6 injunction on these terms. Accordingly, the continuing injunctive relief is
7 appropriate under Rule 65(a).

8 **IT IS HEREBY ORDERED:**


- 9 1. Respondent, David Kirk Ivers, is prohibited from directly or indirectly
10 removing the children, CTIR, born in 2006, and DSIR, born in 2008, from
11 the Eastern District of Washington, until further order of the Court.
- 12 2. Upon a finding that there is no reasonable likelihood of harm to Respondent
13 from being wrongfully enjoined, *see Jorgensen v. Cassidy*, 320 F.3d 906,
14 919 (9th Cir. 2003), Petitioner shall not be required to give security under
15 Rule 65(c).
- 16 3. Respondent is **ORDERED** to appear before this Court on **Friday, April 26,**
17 **2013, at 1:30 p.m.** to show cause, if any he has, why the relief requested in
18 the Verified Petition for Return of Children (ECF No. 7) should not be
19 granted.

1 The District Court Executive is directed to enter this Order, provide copies
2 to counsel, and send a copy via U.S. Mail to Respondent at the following address:

3 Mr. David Kirk Ivers
4 1412 East Rowan Ave.
5 Spokane, WA 992007

6 **DATED** April 17, 2013.




THOMAS O. RICE
United States District Judge